

JOHN J. MARCIANO

March 22, 2011

Joint Committee on Judiciary
Room 2500, Legislative Office Building
Hartford, CT 06106

Re: FOR SB1210 / AGAINST SB1094

Dear Judiciary Committee Members:

I am writing this letter to offer testimony for SB1210 and against SB1094. I urge your support of SB1210. Creating a legal presumption that it is reasonable to believe deadly physical force is necessary to defend oneself from a person who has unlawfully entered a dwelling alleviates citizens from having to second guess their decisions when confronted by a criminal in their own home. The proposed law would also act as a deterrent against criminals breaking into an occupied home.

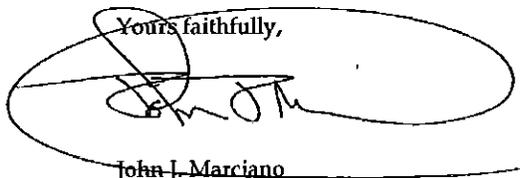
I am against SB1094, for the following reasons:

1. The proposed SB1094 would ex post facto make thousands of Connecticut citizens felons for owning property that is legal in almost every other jurisdiction in this country. Ex post facto laws are prohibited by Article 1, Section 9 of the U.S. Constitution.
2. SB1094 would also do nothing to prevent the use of standard capacity (i.e. more than ten round) magazines by criminals due to the proximity of jurisdictions where their purchase would be completely legal and could be completed without a background check. Vermont and New Hampshire are just a few hours drive from Connecticut. Criminals could easily purchase such magazines there for use while committing crimes in Connecticut. Consequently, any citizens in Connecticut forced to defend themselves would be handicapped in their self defense while their criminal aggressors would suffer no such penalty.
3. SB1094 would have done nothing to prevent high-profile crimes such as the Cheshire, Connecticut murders in 2007. Nor does such a ban on magazine capacity hinder criminals engaged in lower profile crimes. People depraved enough to kill, rape, and rob will not be deterred by restrictions on gun magazines.

For the record I am a U.S. Navy veteran and a current member of the Navy Reserve holding the rank of Lieutenant Commander. I have been mobilized twice since 9/11, once to Kuwait and the other to Africa. I and my family have sacrificed for our country and I believe that a law forcing me to give up my lawfully purchased property or become a felon would gravely impugn the freedoms we Americans hold so dear.

In conclusion, I would like to thank the members of the committee for their time and consideration.

Yours faithfully,

A handwritten signature in black ink, appearing to read "J. Marciano", is written over a large, loopy scribble. Below the signature, the name "John J. Marciano" is printed in a standard font.

John J. Marciano